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VIA ECF

Hon. Peggy Kuo
U.S. Magistrate Judge
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**Re : Kashmir Gill v. Jus Punjabi, LLC,
19-cv-4216 (ILG) (PK)**

Dear Judge Kuo:

I represent defendants in the above-entitled litigation.

In accordance with the minute order Your Honor entered yesterday, I am writing to advise that defendants do not oppose plaintiff's motion under Fed. R. Civ. P. 15 to amend the complaint; we are mindful of the fact that the rule directs that leave to amend shall "be freely given."

That said, I do note that the Amended Complaint deletes *in full* the claims under the Racketeer Influenced and Corrupt Organizations Act ("RICO"), 18 U.S.C. §1961 *et seq.* I had cautioned plaintiff's counsel many times since the original complaint was filed in February 2019 that the RICO claims were frivolous and sanctionable. Although we are pleased with the Amended Complaint's deletion of the RICO counts, the fact is that plaintiff has inflicted incalculable damage on defendants since plaintiff's reckless allegations immediately and prominently appeared on Google and other sites and will remain there permanently.

Pursuant to an order entered several days ago by Judge Glasser, I will confer with plaintiff's counsel on the setting of a schedule under which defendants will move to dismiss the Amended Complaint under Fed. R. Civ. P. 12, 9 and 8.

Respectfully submitted,

Paul Batista

PB/wlg